

PREDETERMINATION SETTLEMENT AGREEMENT

CP# 08-13-64700

HUD# 07-14-0007-8

PARTIES TO THE SETTLEMENT AGREEMENT:

RESPONDENTS

CHAD AND JOE PROPERTIES, LLC

5205 Pennsylvania Avenue

Dubuque, IA 52002

MARY HOLLENBACK

PO Box 3016

Dubuque, IA 52002

COMPLAINANT

CHRISTINE JOHNSON

1900 Washington Street Apartment 1

Dubuque, IA 52002

and

IOWA CIVIL RIGHTS COMMISSION

400 East 14th Street

Des Moines, Iowa 50319

Description of the Parties: Complainant alleged Respondents discriminated against her, due to her race (black), when they served her with a 30-day notice of non-renewal of her lease agreement after tenants filed false complaints with the property manager. Complainant further alleged this non-renewal subjected her to discrimination in the terms, conditions or privileges of rental based on her race (black). Respondents own or manage the subject property, a 40-unit apartment complex, located at 1850 Ellis Street, Apartment 211, Dubuque, Iowa 52001.

A complaint having been filed by Complainant against Respondents with the Commission under Iowa Code Chapter 216 and there having been a preliminary inquiry, the parties do hereby agree and settle the above-captioned matter in the following extent and manner:

Acknowledgment of Fair Housing Laws

1. Respondents agree there shall be no discrimination, harassment, or retaliation of any kind against Complainant or any other person for filing a charge under the "Iowa Civil Rights Act of 1965" (ICRA); or because of giving testimony or assistance, or participating in any manner in any investigation, proceeding or hearing under the ICRA; or because of lawful opposition to any practice forbidden by the ICRA. Iowa Code § 216.11(2).

2. Respondents acknowledge the ICRA makes it unlawful to discriminate in the terms, conditions or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling because of race, color, creed, sex, sexual orientation, gender identity, national origin, religion, disability, or familial status. Iowa Code § 216.8(1)(b).

Voluntary and Full Settlement

3. The parties acknowledge this Predetermination Settlement Agreement is a voluntary and full settlement of the disputed complaint. The parties affirm they have read and fully understand the terms set forth herein. No party has been coerced, intimidated, threatened or in any way forced to become a party to this Agreement.

4. The parties enter into this Agreement in a good faith effort to amicably resolve existing disputes. The execution of this Agreement is not an admission of any wrongdoing or violation of law. Nor is the execution of this Agreement an admission by Complainant that any claims asserted in his complaint are not fully meritorious.

5. Respondents agree the Commission may review compliance with this Agreement. And as part of such review, Respondents agree the Commission may examine witnesses, collect documents, or require written reports, all of which will be conducted in a reasonable manner by the Commission.

Disclosure

6. Because, pursuant to Iowa Code §216.15A(2)(d), the Commission has not determined that disclosure is not necessary to further the purposes of the ICRA relating to unfair or discriminatory practices in housing or real estate, this Agreement is a public record and subject to public disclosure in accordance with Iowa's Public Records Law, Iowa Code Chapter 22. See Iowa Code §22.13.

Release

7. Complainant hereby waives, releases, and covenants not to sue Respondents with respect to any matters which were, or might have been alleged as charges filed with the Iowa Civil Rights Commission, the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, or any other anti-discrimination agency, and with regard to any and all other matters, subject to performance by Respondents of the promises and representations contained herein. Complainant agrees any complaint filed with any other anti-discrimination agency, including the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, which involves the issues in this complaint, shall be closed as Satisfactorily Adjusted.

Fair Housing Poster

8. Respondents agree to place the federal Fair Housing Poster (English and Spanish) in each of their rental or leasing offices in a conspicuous location, easily viewable to tenants and prospective tenants. Fair Housing Posters in English may be obtained online from the Commission's website at: http://www.state.ia.us/government/crc/docs/fair_housing_poster_july_2008.pdf

And the corresponding version in Spanish may be obtained at:
http://www.state.ia.us/government/crc/docs/fair_housing_spanish_july08.pdf

Within ten (10) days of receiving a Closing Letter from the Commission

Respondents also agree to send documentation to the Commission, verifying the posters have been placed.

Relief for Complainant

9. Within seven days (7) days of receiving a Closing Letter from the Commission, Respondents agree to pay Complainant \$715, without any deductions. \$465 of the \$715 settlement monies are designated as a full return of Complainant's rental deposit.

Respondents agree to send the check to Complainant at the address listed on page one. Respondents also agree to send a copy of the settlement check to the Commission within seven (7) days of issuing the check.

Reporting and Record Keeping

10. Within ten (10) days of receiving a Closing Letter from the Commission,

Respondent shall forward to the Commission objective evidence that the Fair Housing posters (English and Spanish) have been displayed in in each of their rental or leasing offices, as evidence of compliance with Term 8 of this Agreement.

11. Respondents agree to send a copy of the settlement check to the Commission within seven (7) days of issuing the check as evidence of compliance with Term 9 of this Agreement.

All required documentation of compliance must be submitted to:

Don Grove, Supervisor of Housing Investigations

Grimes State Office Building

400 East 14th Street,

Des Moines, Iowa 50319

Chad and Joe Properties, LLC, RESPONDENT

Date

Mary Hollenback, RESPONDENT

Date

Christine Johnson, COMPLAINANT

Date

Beth Townsend, DIRECTOR

Date

IOWA CIVIL RIGHTS COMMISSION